

of India dated the 14th August, 1976, under section 160 of the Patents Act, 1970.

(b) A statement (Hindi and English versions) showing reasons for delay in laying the above notification. [Placed in Library. See No. LT-331/77].

(13) A copy each of the following papers under sub-section (3) of section 619A of the Companies Act, 1956 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu:—

(i) (a) Review by Government of Tamil Nadu on the working of the Tamil Nadu Industrial Development Corporation Limited, Madras, for the year 1974-75.

(b) Annual Report of the Tamil Nadu Industrial Development Corporation Limited, Madras, for the year 1974-75 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(ii) (a) Review by Government of Tamil Nadu on the working of the Tamil Nadu Industrial Development Corporation Limited, Madras, for the year 1975-76.

(b) Annual Report of the Tamil Nadu Industrial Development Corporation Limited, Madras, for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(14) Two statements explaining reasons for not laying the Hindi versions of the papers mentioned at item (13) above. [Placed in Library. See No. LT-332/77].

#### CALLING ATTENTION

#### LARGE-SCALE MURDER AND TORTURE OF NAXALITIES IN ANDHRA PRADESH

SHRI SAMAR MUKHERJEE: I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and request that he may make a statement thereon:—

“The reported large-scale murder and torture of Naxalites in Andhra Pradesh during the last few years as revealed by the Civil Rights Committee headed by Shri V. M. Tarkunde”.

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): Sir, our attention has been drawn to two reports of the Civil Rights Committee appointed by the Citizens for Democracy under the chairmanship of Shri V. M. Tarkunde in regard to the encounters between the Naxalites and the police in Andhra Pradesh. The findings of the Committee have caused us grave concern. The House is aware of the serious problem of law and order resulting from the activities of the Naxalites in certain parts of Andhra Pradesh. These activities included cold-blooded murder and other serious offences. In the circumstances, the police were required to deal with a difficult problem. But law enforcement agencies cannot take law into their own hands whether they are dealing with Naxalites or any other individuals or groups. No failure on their part to act strictly according to law can be condoned. The two reports of the Committee give rise to serious misgivings whether the police had acted in accordance with law while dealing with Naxalites. These misgivings require immediately to be allayed. I have, therefore, written to the Chief Minister, Andhra Pradesh conveying my suggestions to him for his earnest consideration. I am confident that the Government of Andhra Pradesh will take prompt and appropriate action on my suggestions.

SHRI SAMAR MUKHERJEE: The statement made by the minister here is not at all satisfactory because of the nature of the crimes and brut-

[Shri Samar Mukherjee]

lities perpetrated by the Police in murdering in cold-blood those elements whom they dub as Naxalities. There are so many innocent persons also who have become victims of this type of brutalities.

The Committee whose report we are now discussing have made certain recommendations and I expected that the Home Minister, in the course of his statement will declare that he is going to accept those recommendations and institute a probe to go into this matter seriously, but instead, he said that he was conveying his suggestions to the Chief Minister. The whole report says that the Andhra Pradesh Government is also involved in this matter. If the Home Minister relies on the Chief Minister, whose Government is directly involved in this matter, you can easily understand that no truth will come out from the report asked for from the Chief Minister for his consideration.

Now-a-days we find that reports of various types of tortures are appearing in the press. It is good that people are coming to know about the character of the previous Government during the last thirty years and what type of torture the people were undergoing particularly during the later part of the years both inside the jail and outside.

This Committee gave a press briefing on the 16th May and I am quoting some portions from its interim report from which you can see the seriousness of the torture of the people:

"There is widespread apprehension that the 'encounters' are staged...."

The plea of the police was that the Naxalites attacked them and in encounters, the Naxalites had been killed. This committee has blown up this theory of encounters. They have said:

"There is widespread apprehension that the 'encounters' are staged, that in fact the citizens have been

liquidated in cold blood by police to terrorise potential dissenters in the State".

The purpose of liquidation is not to curb the Naxalites but the purpose is to terrorise the potential dissenters. Here lies the political motive in this action. That is why, the whole Government is involved in this matter. I am now quoting some facts from the Tarkunde report:

"On July 24, at about 8 p.m., all the lights in the Mulugu lock-up were put out. The four boys were shuffled into a police van and taken to Girapally forest. They were tied to four trees from neck to foot and were blindfolded. When the Sub-Inspector of the Andhra Pradesh Special Police, First Battalion, was asked to shoot them, it appears that he refused. For refusing to obey the orders, he was abused by the Superintendent of Police".

They were shot, but this officer had some hesitation in doing so. This is from the evidence this Committee has got. This is the nature of the brutalities. These so-called Naxalites were taken to forests, tied from neck to foot with the trees and then shot dead. It was, however, announced that during the course of jungle encounters, these Naxalities were killed.

MR. SPEAKER: Everybody has read these statements. This is not a debate, you have to call the attention of the Minister to the particular point. Please come to the question now.

SHRI SAMAR MUKHERJEE: I want to draw the attention of the Minister to certain relevant points. I am only reading the report which says:

"Once again evidence leads us to conclude that no encounter took place at all."

This is the first thing. So, this is cold-blooded murder. Second thing is to create terror among the dissenters. This is the political motive be-

hind these murders. Now the committee has demanded the centre to order a judicial inquiry into all deaths that were said to have occurred in encounters.

"The Members of the Committee met the Prime Minister and the Home Minister to acquaint them with the results and the progress of the inquiry. As a result of these meetings, it expects the Union Government to soon order a full-fledged inquiry into these police killings."

The Committee report says that it has received information that officials of the Andhra Government have been tampering with the evidence and destroying records as well as hampering the progress of the inquiry. So, I want to draw the attention of the Home Minister that they are busy now destroying all records because they think that some inquiry will be instituted. Under these circumstances, if you give them time and depend upon the report from the Chief Minister that means the central government is not at all serious to take up these issues because this killing of time will give them a scope to destroy all the evidences and they will send some report which will be a coloured report. I am quoting from Shri J. B. Kripalani's article on this Tarkunde Committee report....

MR. SPEAKER: No, No. Everybody has read the article. The Minister also has read the article. You cannot go on reading. A leader of a Party must presume that everybody else must have read the newspaper. If you go on quoting there will be no end.

SHRI SAMAR MUKHERJEE: This is my point.....

MR. SPEAKER: I cannot compel a leader of a party. I can only tell him.

SHRI SAMAR MUKHERJEE: I am saying this thing to emphasize that the government should act forthwith. This is what Shri J. B. Kripalani has written on the recommendations of

the Tarkunde Committee to immediately institute a judicial inquiry into the killings in Andhra.

"It should know that further delay in this matter will outrage public feelings. By its deeds will the new government and the Janata Party be judged."

This is my point. These are cold-blooded murders which started from West Bengal. Already during question-hour we were told that in West Bengal 500 people have been killed. There are no jungles there but they have been killed in the streets. In the jails also similar murders have taken place. This is a very serious thing. That is why I want that the recommendations of the Tarkunde Committee should be fully accepted by this government.

चौधरी चरण सिंह : अध्यक्ष महोदय माननीय सदस्य ने इस मामले की गंभीरता के सिलसिले में जो कुछ फर्माया है, जो कहा जाता है कि उनकी हत्या की गई उसकी गंभीरता के सिलसिले में जो कुछ भी कहा है उससे मैं पूर्णतया सहमत हूँ। अगर हो सके तो 101 प्रतिशत सहमत हूँ और उस पर ध्यान दिलाने की कोई जरूरत नहीं है।

दूसरी बात यह है कि जितनी चिन्ता उनको है कि इसकी बाबत सच्चाई मालूम होनी चाहिये और दोषियों को सजा मिलनी चाहिये उतनी ही चिन्ता मुझे भी है। एक ही बात की शिकायत है कि अगर कुछ देर हो गई है और प्राज्ञ में एकदम जबाब नहीं दे सकता तो उससे यह नतीजा निकालना कि गर्वनमेंट की नीयत पर जनता शक कर रही है मैं इसको मानने के लिये तैयार नहीं हूँ। यहां कुछ और इन्वायरी कमीशंस एक्वाइंट करने में थोड़ी देर हुई, वह देर नहीं हुई बकि मजबूरी थी क्योंकि टर्मस प्राफ रेफ्रेस तय करने में देर होती है, एनाउन्समेंट में कोई देरी नहीं होती और टर्म प्राफ रेफ्रेस वही हो सकता है जिसके लिये पहले से कुछ एविडेंस हो और हर चीज का हर वक्त गवर्न-

। चौधरी चरण सिंह।

मेंट के पास एविडेंस नहीं होता है तो इस पर यहाँ कुछ लोगों ने कहना शुरू कर दिया कि देर हो रही है, गवर्नमेंट सीरियस नहीं है। लेकिन यह बात गलत है। अगर आज इसकी बाबत मैं कुछ जवाब नहीं दे सकता हूँ तो यह बात नहीं है कि उसको मैं सीरियस नहीं समझता बल्कि कुछ मजबूरी है। हमने चीफ मिनिस्टर को मशविरा दिया है, क्या मशविरा दिया है वह बताना उचित नहीं है। लेकिन जैसी मैंने आशा प्रकट की है, मुझे उम्मीद है वे मेरे मशविरों को मानेंगे। अगर नहीं मानेंगे तो उसके बाद कानून और संविधान के अन्दर क्या किया जा सकता है यह विचारने की बात होगी।

श्रीमती शशिहत्या पी० रांगनेकर (बम्बई उत्तर मध्य): अध्यक्ष महोदय, मंत्री महोदय ने अपने स्टेटमेंट में कहा है—

These activities included cold blooded murder and other serious offences. लेकिन तारकुण्डे कमीशन ने तो अपनी रिपोर्ट में एमरजेन्सी के दौरान जो अत्याचार हुए हैं, उस में इन्वास्ट पेंसिफिक पुलिस आफिसर्स के नाम भी दिये हुए हैं, जिन्होंने अत्याचार किया है। इतना ही नहीं, उन्होंने यह भी कहा है कि इन लोगों ने "सैंडिस्टिब" अत्याचार किये हैं, लड़कियों को नचाने के लिये कहा गया, उन के ऊपर रेप करने की बात भी कही गई। मंत्री महोदय ने कहा है कि हम ने उन की सर्जेश्वन्ज को राज्य सरकार को भेजा है। जो खुद गुनहागार है, उस को सर्जेश्वन्ज भजने से या रिपोर्ट भेजने से कुछ होने वाला नहीं है। हमारा आप से यह अनुरोध है कि तारकुण्डे कमीशन की रिपोर्ट को स्वीकार कीजिये और एक न्यायिक जांच कमीशन नियुक्त कीजिये जो सच्चाई को निकाल कर आप के सामने रखे। वहाँ की सरकार के पास उन के सर्जेश्वन्ज को भेजने से कुछ नहीं

होगा, क्योंकि केरल का उदाहरण हमारे सामने है, वहाँ के मिनिस्टर करुणाकरण ने कोर्ट के सामने झूठा बयान दिया, ऐसा ही आन्ध्र में भी होगा। इसलिये केन्द्रीय सरकार को स्वयं न्यायिक जांच कमीशन बनाना चाहिये।

श्री चौधरी चरण सिंह: मैं इस बात को पहले ही कह चुका हूँ, लेकिन हमारी सरकार को तसल्ली नहीं हुई। तारकुण्डे जी ने जो सर्जेश्वन्ज दी हैं, उस के लिये वे इस देश और सरकार को तरफ से धन्यवाद के पात्र हैं। लेकिन मैं आप के जरिये एक बात कहना चाहता हूँ—इस सिलसिले में तत्काल क्या कार्यवाही की जा सकती है? इस सिलसिले में और सरकार फौरन कोई घोषणा नहीं कर सकती हैं तो आप इस का कोई एडवर्म इन्फेन्सन निकालिये, जो कुछ भी इस सिलसिले में हो सकता है, किया जा रहा है।

जैसा आप माहवान ने कहा कि सरकार को यह करना चाहिये, वह करना चाहिये, मैं आप से अगर यह सवाल पूछ कि सरकार के पास इस के लिये कौन सा कानूनी अधिकार है तो जवाब देना मुश्किल होगा, लेकिन मैं आप को उस पोजीशन में डालना नहीं चाहता।

श्री गंगाधर श्याम ब्राह्मे (भिर): मुझे इस बारे में यही निवेदन करना है कि जैसा तारकुण्डे जी ने कहा है, सेंट्रल गवर्नमेंट को इस मामले को अपने हाथ में लेना चाहिये और एन्वायरी कमीशन बैठाना चाहिये। मंत्री महोदय ने इस मामले को आन्ध्र सरकार को सौंप दिया है, लेकिन व इस सिलसिले में कुछ भी करने वाले नहीं हैं, इस लिये आप को फौरन कमीशन बैठाना चाहिये।

श्री चौधरी चरण सिंह: माननीय मित्र ने जो सुझाव दिया है, उस को मैंने नोट कर लिया है।

12.19 hrs.

STATEMENT RE. RECENT INCIDENTS OF VIOLENCE AND ATROCITIES IN JAMMU AND KASHMIR